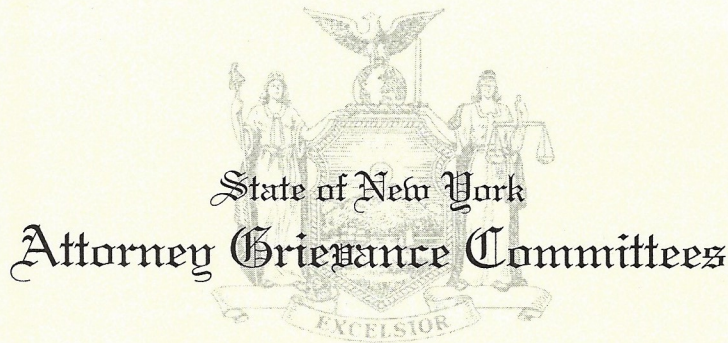


SEVENTH JUDICIAL DISTRICT
ROCHESTER

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CHAIRPERSON
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PRINCIPAL COUNSEL
MARK W. BENNETT

INVESTIGATOR
KELLY A. PAGE

February 10, 2022

CONFIDENTIAL

Elena Ruth Sassower
Center for Judicial Accountability, Inc.
P.O. Box 8101
White Plains, NY 10602

RE: Your letter of January 31, 2022

Dear Ms. Sassower:

This will acknowledge receipt of your latest letter as referenced above, and in response to the several comments, objections, and requests made therein.

I must initially refer your attention to the New York State Judiciary Law Section 90 (10), and to the Appellate Division Rules at 22 NYCRR 1240.18. Both make clear that "...all papers, records and documents...upon any complaint, inquiry, investigation or proceeding relating to the conduct or discipline of an attorney or attorneys, shall be sealed and be deemed private and confidential." Further, "All disciplinary investigations and proceedings shall be kept confidential by Court personnel, Committee members, staff, and their agents."

22 NYCRR 1240.18(d) sets forth the required application process to seek the unsealing of confidential records, and the showing required.

Applying these rules to your letter, I must decline to provide any of the requested items you seek, and make no further comment even as to whether I have such items in my possession.

You also object to being informed that we do not communicate by email. That is the policy and practice I have followed for the past fifteen years, and is consistent with the requirement to protect and maintain confidentiality of all matters in this office. While e-mail addresses are available for use by many staff in all Appellate Division Departments, I do not encourage or engage in substantive exchanges of information in matters involving complaints, inquiries, investigations, or proceedings through email in order to abide by the above rules.

Elena Ruth Sassower
February 10, 2022
Page 2

Additionally, you have expressly stated that you have already posted not only your own letter to your webpage, but have done so with my letter of January 11, 2022. Being so notified, I will not further engage in any substantive responses with you. I refer your attention to the application process for requesting any unsealing and disclosure as set forth in the Court's rules if you believe your request meets the required showing. It is my understanding that it is the sole avenue for the relief you are requesting.

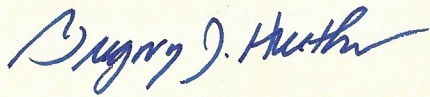
Your collective requests as set forth in your letter of January 31, 2022, are therefore denied.

I also note that you have expressly stated that you intend to make an application for reconsideration of my denial pursuant to 22 NYCRR 1240.7(e)(3), which you are fully aware of and have previously utilized on more than one occasion. Your objection that I did not so advise you is noted.

I am mindful that you placed a telephone call to my office this morning, and sought an extension of time to submit your letter of reconsideration. I consented to your request, and agree to allowing you another 30 days in which to submit your request.

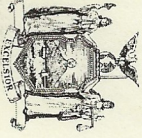
Thank you for your attention.

Very truly yours,



Gregory J. Huether
Chief Counsel

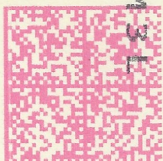
GJH/kr



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